

DEP CAMDEN OFFICE
JUL 31 2019

Dear Mr. Sammarco and Mr. Martin,

Last summer, I dug a trench behind our garage, past the side yard and through some shrubbery because the garage had started flooding more and more frequently and our flower gardens had begun washing out as the amount of rainfall increased. The trench solved these problems, but it filled in a bit over the winter, and when we received over 3 inches of rain during 4th of July weekend this year, the garage flooded again.

My story relates to the reason we're gathered here tonight. DEP is considering renewing SGI's existing surface mining permit which includes a provision allowing their storm water and sediment overflow and runoff to flow into the Tom's Creek watershed when rainfall amounts reach totals commensurate with 10 year storms. These standards were set in 1994. The permit requirements do not reflect what all of us who garden or farm or fish or just enjoy the outdoors know about new weather patterns – what was happening in 1994 doesn't reflect what is happening now. According to NOAA, from May 2014 - April 2019, PA experienced its wettest period since 2008. The DEP website projects a 40% increase in annual precipitation in PA. Consequently, the mining permit SGI is seeking to renew is obsolete. It's time for the permit requirements to be changed to reflect the reality of the change in climate.

Could SGI comply with more environmentally stringent requirements? In SGI's response to comments from last January's hearing, they write that "a design could be formulated that would make discharge into Tom's Creek highly improbable." However, there is no indication that SGI is going to take this step. I can think of three reasons why this is so: corporations only do what they are required by law to do, and at present, their permit does not require them to do what they have admitted they can do. The fines they have incurred when they have violated existing permit requirements regarding discharge into the watershed provide no real incentive to comply. It's a matter of public record that their fines have ranged from about \$400 to \$4000. Not much of an incentive for a multi-million dollar corporation. The third reason for inaction is that protecting the environment costs money. Why negatively impact your bottom line if you are not required to do so?

During the information segment of the July 17, 2019 hearing, one of the SGI representatives told those of us gathered around him that he had, in fact, seen fish in the sediment ponds at SGI. Further, he said that he and a colleague had walked around Toms Creek near the SGI site kicking over rocks in the stream, and they saw plenty of macro invertebrates. To suggest that these observations support SGI's contention that they are an environmentally friendly corporation is unconscionable. The ludicrous claim that fish live in SGI's waste water ponds and the suggestion that "kicking over rocks" constitutes any kind of legitimate assessment of the health of a stream demonstrates ignorance at best.

How does DEP figure into all of this? I think DEP walks a thin line in these matters. Do they have the power and the mandate from state government to be a reliable protector of our environment? Recent actions by the state legislature as they continue to cut DEP's staff indicate otherwise. Are members of the state legislature bound by corporate donations with which no individual citizen can hope to compete? DEP is the

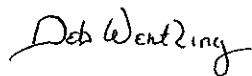
only safeguard that stands between us and environmental degradation, but can they risk upsetting powerful corporations with very deep pockets? These are scary questions for all of us.

The health of our environment, including the health of our streams, is tied inextricably to our health. The PA Fish and Boat commission warns anglers statewide not to eat more than one half pound of recreationally caught fish per week because of dangerous contaminants in them. If you weigh less than 150 lbs one fish meal per week is too much. The DEP has already declared 40% of the streams in Adams County impaired. Why are we willing to accept this? Are we ever going to draw a line and say enough is enough?

Degrading our environment has a social and economic impact too. Anglers travel to fish in our trout streams. All of us, tourists and locals alike, who enjoy walking or horseback riding in Michaux, all of us who enjoy fishing in Tom's Creek are very worried about what's happening to our wilderness areas and streams.

My last point is heart-driven and not so quantifiable, but it is no less important. I doubt that there's a single person in this room who is not thankful for the valuable gifts the earth provides. For many, however, that value is derived solely from how beneficial the gift is to us humans. The natural world is a merely a natural resource to many. What about the inherent value of the rest of earth's inhabitants? In Genesis, God said what he created was good before we arrived on the scene. The earth teems with life. We have no right to cavalierly discount its value because we think the only thing that's worth preserving is what we find useful. As long as we cling to this view, we will continue to accept the destruction of other species until, finally, we will have done ourselves in.

SGL directly provides jobs to about 145 people; that is important. I don't want these folks to lose their jobs, but SGL has a responsibility not only to them but to everyone affected by their actions. SGL can and must do more to take their environmental responsibilities seriously. We've reached a tipping point. What we do as a species will determine our children's future and the future of every other living thing on the planet. Let's draw a line here and do two things: insist that SGL's license reflect climate change realities and hold SGL accountable in a meaningful way when they fail to take seriously the detrimental effect they have on our watershed.



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